NOTIFICATION.

(LAW DEPARTMENT).

No. LAW 18 LCA 67, Bangalore, dated 26th May 1967.

Ordered that the Land Acquisition (Amendment and Validation) Act, 1967 (13 of 1967), which has been published in the *Gazette of India*, Extraordinary, Part II Section 1, dated the 12th April 1967 be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

B. RAMACHANDRA RAO,
Under Secy. to Govt., L.D.

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Assented to on 12th April 1967

Act No. 18 of 1967.

THE LAND ACQUISITION (AMENDMENT AND VALIDATION) ACT, 1967

AN

ACT

further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions of land under the said Act.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Land Acquisition (Amendment and Validation) Act, 1967.

2. Amendment of section 5A.—In section 5A of the Land Acquisition Act, 1894 (1 of 1894) (hereinafter referred to as the principal Act,) in sub-section (2) for the words "submit the case for the decision of the appropriate Government, together with the record of the proceedings held by him and a report containing his recommendations

on the objections", the words, figures and brackets "either make a report in respect of the land which has been notified under section 4, sub-section (1), or make different reports in respect of different parcels of such land, to the appropriate Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government" shall be substituted.

3. Amendment of section 6.—In section 6 of the principal Act,—

(*a*) in sub-section (1),—

(*i*) after the words "certify its orders" the following shall be inserted, namely :—

"and different declarations may be made from time to time in respect of different parcels of any land covered by the same notification under section 4, sub-section (1), irrespective of whether one report or different reports has or have been made (wherever required) under section 5A, sub-section (2)";

(*ii*) for the words "Provided that", the following shall be substituted, namely :—

"Provided that no declaration in respect of any particular land covered by a notification under section 4, sub-section (1), published after the commencement of the Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967) shall be made after the expiry of three years from the date of such publication.

Provided further that";

(*b*) in sub-section (2), for the words "The declaration", the words "Every declaration" shall be substituted.

4. Validation of certain acquisitions.—(1) Notwithstanding any judgment, decree or order of any court to the contrary,—

(*a*) no acquisition of land made or purporting to have been made under the principal Act before the commencement of the Land Acquisition (Amendment and Validation) Ordinance, 1967, (1 of 1967) and no action taken or thing done (including any order made, agreement entered into, or notification published) in connection with such acquisition shall be deemed to be invalid or ever to have become invalid merely on the ground—

(*i*) that one or more Collectors have performed the functions of Collector under the principal Act in respect of the land covered by the same notification under sub-section (1) of section 4 of the principal Act;

(*ii*) that one or more reports have been made under sub-section 2 of section 5A of the principal Act, whether in respect of the entire land, or different parcels thereof, covered by the same notification under sub-section (1) of section 4 of the principal Act;

(*iii*) that one or more declarations have been made under section 6 of the principal Act in respect of different parcels of the land covered by the same notification under sub-section (1) of section 4 of the principal Act;

(*b*) any acquisition in pursuance of any notification published under sub-section (1) of section 4 of the principal Act before the commencement of the Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967) may be made after such commencement and no such acquisition and no action taken or thing done (including any order made, agreement entered into, or notification published), whether before or after such commencement, in

connection with such acquisition shall be deemed to be invalid merely on the grounds referred to in clause (a) or any of them.

(2) Notwithstanding anything contained in clause (b) of sub-section (1), no declaration under section 6 of the principal Act in respect of any land which has been notified before the commencement of the Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967) under sub-section (1) of section 4 of the principal Act, shall be made after the expiry of two years from commencement of the said Ordinance.

(3) Where acquisition of any particular land covered by a notification under sub-section (1) of section 4 of the principal Act, published before the commencement of the Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967) is or has been made in pursuance of any declaration under section 6 of the principal Act, whether made before or after such commencement, and such declaration is or has been made after the expiry of there years from the date of publication of such notification, there shall be paid simple interest, calculated at the rate of six per centum per annum on the market value of such land, as as determined under section 23 of the principal Act, from the date of expiry of the said period of three years to the date of tender of payment of compensation awarded by the Collector for the acquisition of such land :

Provided that no such interest shall be payable for any period during which the proceedings for the acquisition of any land were held up on account of stay or injunction by order of a court :

Provided further that nothing in this sub-section shall apply to the acquisition of any land where the amount of compensation has been paid to the persons interested before the commencement of this Act.

5. Repeal and saving.—(1) The Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967) is hereby repaled.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had come into force on the 20th day of January 1967.